

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF SOUTH CAROLINA

IN RE:

JOHNSON D. KOOLA

Debtor

CASE NO: 18-01373-JW

(CHAPTER 13)

**OBJECTION TO:
DEBTOR'S REQUEST FOR ORDER AFFIRMING HOMESTEAD
EXEMPTION**

Please take notice that the trustee objects to the DEBTOR'S REQUEST FOR ORDER AFFIRMING HOMESTEAD EXEMPTION for the following reason(s):

Debtor requests an order affirming the homestead exemption claim. It appears to the satisfaction of the Trustee, based upon current information, that the exemptions filed March 20, 2018 are valid, and the Trustee believes that the Debtor may rely upon the claim for the purposes of drafting a modified plan and for confirmation.

Trustee does not believe that an order is necessary, and, if an order is entered, it could be used to defend an objection that would otherwise be timely, if the debtor amends Schedule C or in the unlikely event that fraud is discovered. The language of Federal Rule of Bankruptcy Procedure, Rule 4003, is controlling. Trustee agrees that the deadline to object under Rule 4003(b)(1) has passed for the Schedule C filed March 20, 2018. Trustee has no reason at this time to believe that there is a basis for an objection under Rule 4003(b)(2) or (3). If Schedule C is amended, or if fraud is later found, however, the deadline to object has not passed.

Trustee requests a hearing for the objection to be heard.

Dated: 7/13/2018

/s/ James M. Wyman

James M. Wyman
Chapter 13 Trustee
PO Box 997
Mt. Pleasant, SC 29465-0997
Phone: (843) 388-9844
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CERTIFICATE OF SERVICE

I did this date serve the attached document(s) on the parties listed below by placing the same in the United States mail with proper postage affixed thereto and addressed as follows:

JOHNSON D. KOOLA
1587 CAMBRIDGE LAKES DRIVE
MOUNT PLEASANT, SC 29464

Date: July 13, 2018

/s/ Russell Jackson, II

Russell Jackson, II
Office of the Chapter 13 Trustee
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